

FORM-PTO-1390  
(Rev. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

003300-883

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

10/019,566

INTERNATIONAL APPLICATION NO.  
PCT/SE00/01390INTERNATIONAL FILING DATE  
30 June 2000PRIORITY DATE CLAIMED  
6 July 1999 and 14 July 1999

TITLE OF INVENTION

RECOMBINANT ADENOVIRUS

APPLICANT(S) FOR DO/EO/US

LEIF LINDHOLM

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. § 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. § 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Verified Statement (Declaration) Claiming Small Entity Status (37 C.F.R. §§ 1.9(f) and 1.27(c)) - Small Business Concern is filed herewith.



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U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  
10/019,566

INTERNATIONAL APPLICATION NO.  
PCT/SE00/01390

ATTORNEY'S DOCKET NUMBER  
003300-883

21. ☐ The following fees are submitted:

CALCULATIONS

PTO USE ONLY

**Basic National Fee (37 C.F.R. § 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 C.F.R. § 1.482)  
nor international search fee (37 C.F.R. § 1.445(a)(2)) paid to U.S. PATENT AND TRADEMARK  
OFFICE  
and International Search Report not prepared by the EPO or JPO ..... \$1,040.00 (960)

International preliminary examination fee (37 C.F.R. § 1.482) not paid to  
U.S. PATENT AND TRADEMARK OFFICE but International Search Report prepared by the EPO or  
JPO ..... \$890.00 (970)

International preliminary examination fee (37 C.F.R. § 1.482) not paid to U.S. PATENT AND  
TRADEMARK OFFICE  
but international search fee (37 C.F.R. § 1.445(a)(2)) paid to U.S. PATENT AND TRADEMARK  
OFFICE ..... \$740.00 (958)

International preliminary examination fee (37 C.F.R. § 1.482) paid to U.S. PATENT AND  
TRADEMARK OFFICE  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$710.00 (956)

International preliminary examination fee (37 C.F.R. § 1.482) paid to U.S. PATENT AND  
TRADEMARK OFFICE  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 (962)

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$--

Surcharge of \$130.00 (154) for furnishing the oath or declaration later than  
months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).

20 ☐ 30 ☒

\$ 130.00

Claims	Number Filed	Number Extra	Rate
Total Claims			X\$18.00 (966)
Independent Claims			X\$84.00 (964)
Multiple dependent claim(s) (if applicable)			+\$280.00 (968)

TOTAL OF ABOVE CALCULATIONS =

\$ 130.00

Reduction for ½ for filing by small entity, if applicable (see below).

+

\$ 65.00

SUBTOTAL =

\$ 65.00

Processing fee of \$130.00 (156) for furnishing the English translation later than  
months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).

20 ☐ 30 ☐

+

\$

TOTAL NATIONAL FEE =

\$ 65.00

Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 C.F.R. § 3.28, 3.31). \$40.00 (581) per property

+

\$

TOTAL FEES ENCLOSED =

\$ 65.00

04/02/2002 NGUYEN 00000112 10019566

01 FC:254

65.00 OP

Amount to be  
refunded:

\$

charged:

\$

- a. ☒ Small entity status is hereby claimed.
- b. ☒ A check in the amount of \$ 65.00 to cover the above fees is enclosed.
- c. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.
- d. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 C.F.R. § 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Benton S. Duffett, Jr.  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

SIGNATURE

Benton S. Duffett, Jr.

NAME

22,030

REGISTRATION NUMBER

March 28, 2002

DATE



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/019,566	Leif Lindholm	003300-883

INTERNATIONAL APPLICATION NO.	
PCT/SE00/01390	
I.A. FILING DATE	PRIORITY DATE
06/30/2000	07/06/1999

21839

 BURNS DOANE SWECKER & MATHIS L L P  
 POST OFFICE BOX 1404  
 ALEXANDRIA, VA 22313-1404

CONFIRMATION NO. 8060

371 FORMALITIES LETTER



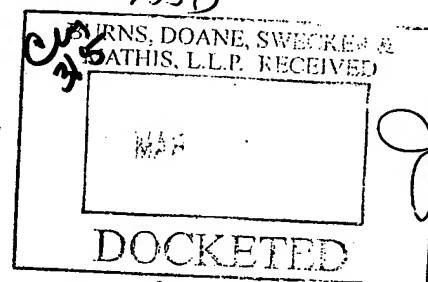
\*OC000000007492034\*

Date Mailed: 02/27/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination


 Declaration Due  
 4/27/02

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

 10/19/2002  
 2.8 MAR 2002

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 305-3752

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/019,566	PCT/SE00/01390	003300-883

FORM PCT/DO/EO/905 (371 Formalities Notice)